



# Key Note



Volume 85

Northeast Texas Association of Paralegals, Inc.  
*An Affiliate of the National Association of Legal Assistants, Inc.*  
Editor, Mona Hart Tucker, ACP

January 2012

## *President's Message* *President's Message*

*I'm back in the saddle again;  
Out where a friend is a friend...*

Gene Autry

Much like all of us, it wasn't that I lacked another leadership role or another heaping portion on my plate, it was just pure old-fashioned excitement to return to the helm of a great association affiliated with my career passion.



Career passion? Indeed! You know who you are and you might as well stand up and receive recognition for tirelessly giving of yourselves (many times at the expense of your family and health) to meet those rapidly approaching deadlines; or to awaken at 2:00 a.m. in a panic wondering if a certain Order was forwarded to the Court for signature; or your research was right on point to win a summary judgment ruling; or that you didn't accidentally disclose to the other side the smoking gun document deemed privileged and confidential.

As we set sail on another NTAP voyage, I challenge each of you that no matter what obstacles or hindrances may come your way, you will continue to press on in your career passion; to relish the accomplishments, as well as respect the challenges which directed you to that point. Remember, a ship in the harbor is safe; but that's not what ships are built for.

Andrea Brunson, CP  
NTAP President, 2012



### 2012 Executive Committee

President - Andrea Brunson, CP  
1<sup>st</sup> Vice President - Sandi Clarke, CP  
2<sup>nd</sup> Vice President - Nadriette Hardeman, CP  
Secretary - Cindy VanBlaricom  
Treasurer - Shannon Qualls  
NALA Liaison - Javan Johnson, ACP

### 2012 Chairpersons

Parliamentarian - Mona H. Tucker, ACP  
Employment - Andrea Brunson, CP  
Auditor - Andrea Brunson, CP  
Scholarship - Javan Johnson, ACP



### Obituaries

**Brenda York Harthcock**, 37, daughter of Mona Tucker and Chester York Jr., passed away Jan. 14, 2012.

**Marilyn Nail Adkison**, 59, Mona Tucker's step-sister, passed away Jan. 27, 2012.



### E-Filing Practice Tips

by Judge Jim Jordan

As everyone is aware, Dallas County civil courts have gone from hard paper filing to paperless e-filing. The procedure of filing is still largely the same—documents are filed with the clerk's

office, which then processes and files them in the appropriate file. Original Petitions are still handled exclusively by the central file desk, although electronic filing of motions is now handled directly by the clerks assigned to the courts. The following are some tips to help trial attorneys with this transition.

Originals are shredded. Files existing before the transition to e-filing have been scanned into the system and the originals have been shredded. There appear to have been some occasions, although rare, where the original was shredded before being scanned. Also, while the clerks still accept hard filings, they usually immediately scan and then shred them. Keep your file-marked copies just in case.

Incomplete scanning / misfiling. On occasion I have pulled up electronic copies and found some of the pages to be incomplete or missing. So it is probably a good idea to follow up to make sure your whole document made it into the file. And, if you don't have the correct style or cause number (a common error when using old pleadings as a form) it will likely go into the wrong file. On rare occasion, the clerk may enter a number incorrectly. Help the clerks help you; go to the website to ensure your pleading is filed correctly and in the correct case. You can check the District Clerk's website for all filings ([www.dallascounty.org/public\\_access.php](http://www.dallascounty.org/public_access.php)). For now, downloaded copies are free.

E-filing is not e-mailing. Even though you can now e-file your pleadings, this does not mean the document goes straight to the judge's computer. It can still take a day or so for the document to show up in the file when brought up on the court's computer. For example, anything e-filed Friday afternoon or over the weekend will not be on the system until Monday afternoon because staff works up the backlog in the morning. And anything filed late in the afternoon may not be worked up until the following morning as the file clerks leave at 4:30 p.m.

If your hearing is less than a couple of days away, file a courtesy hard copy for the court. Two or three days in advance works best because filing them long in advance, say at the same time you file your MSJ or motion to transfer venue, risks having them misplaced or forgotten by the hearing date. For the most important hearings, a notebook with the motion, response and significant authority relied upon will be

appreciated. Not all courts, however, have the same policy regarding courtesy copies. Check first with the court's clerk/coordinator or website.

Paginate your pleadings. Depending on the software and method used to create a document, there may be no real hyperlink ability available for searching through filed documents. A lengthy document—say a 485-page MSJ or MSJ response with attached exhibits—will open up as page 1 of 485 pages. If you request the judge to look at Exhibit "G" for instance, the judge has to page through until exhibit "G" is found. But if the entire document is sequentially paginated, you can refer the judge to the page where exhibit "G" is located and the judge can enter the number and jump to that page.

If you have the right kind of PDF software, you may be able to make the document smaller, searchable for words and phrases, and include bookmarks. For this, do not print and then scan the document. Print the file to a PDF driver which converts the file to PDF format or, if your software allows, save as a PDF file before e-filing.

Short pleading titles. When accessing a file, the judge will pull up a "document search result" screen to look for a specific pleading. This screen has four columns—file date, document type, comment, and case number. The clerk fills out this information when the document is filed, but has only a very limited number of characters available to describe the "document type." The clerk generally gets that information from the pleading's title. If that title is three or four lines long, the clerk must make a judgment call. So a paper entitled "Request for Leave to Appear by Phone, Objections to Evidence and Response to Motion for Summary Judgment," may get listed as a "Request for Leave." The judge preparing for the MSJ hearing may thus pass over this pleading. Use short titles to help out the clerks and consider separate pleadings for separate relief. If you must combine several requests in one document, put the most important first.

Submission of proposed orders. Local Rule 2.08 requires counsel seeking affirmative relief to tender a proposed order to the court at the commencement of any hearing. It's a good idea for counsel opposing the relief to submit one as well. But, if orders are submitted to the clerk after the hearing, include a cover letter, whether e-filed or not, that requests the order be given to

the judge. Otherwise, the order may sit in e-filed limbo without the judge knowing it is there.

Looking forward. The constables will no longer serve civil papers as of November 1, 2011. So, unless one uses a private process server, civil process will be sent electronically to the Sheriff instead of printing it out and having them come over. Because the Sheriff will now have Odyssey, attorneys will be able to track process through the Odyssey Service Tab. eNotice should be implemented the first quarter of 2012, allowing attorneys to get an email notice when the clerk enters an event into Odyssey.

Final thoughts. Some judges and lawyers are more supportive of paperless files than others, but the fact of the matter is we're not going back to the old system. We need to work out the bugs. If something isn't working right, there's nothing wrong with contacting the district or county clerk directly.

*Judge Jim Jordan presides over the 160th District Court. Judge Marty Lowy, Judge Mark Greenberg, Judge Teresa Guerra-Snelson and District Clerk Gary Fitzsimmons assisted with this article.*

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## January

We will install officers and the name of our 2011 Paralegal of the Year will be revealed at the membership meeting on January 18<sup>th</sup>. Please be present for this important step in the life of our organization.



### **Northeast Texas Association of Paralegals, Inc. Minutes of the Membership Meeting Wednesday, December 21, 2011**

The monthly membership meeting of the Northeast Texas Association of Paralegals was held at the Longview Community Center on Wednesday, December 21, 2011.

Those in attendance were Mona Tucker, Andrea Linton-Brunson, Sandi Clarke, Javan Johnson, Pam Matthews, Nadriette Hardeman, Elisha Calhoun, Lori Campbell, Cindy Van Blaricom,

and Shannon Qualls. There were no guests in attendance.

President Tucker welcomed members and guests and called the meeting to order at 12:15 p.m.

#### Reports:

**Secretary** – President Tucker announced that the minutes from the November membership meeting were printed in the *Key Note* and asked the membership for approval of same. Sandi Clarke made a motion to approve the minutes; Elisha Calhoun seconded the motion, and the minutes were approved as printed.

**Membership** – Sandi Clarke announced that she has not received any additional renewal or new membership applications for 2011.

**Treasurer** – President Tucker discussed the Financial Report for November 2011, provided by Elisha Calhoun. After reviewing the report, Sandi Clarke made a motion to accept the report; Pam Matthews seconded the motion and the report was approved, pending audit.

**Employment** – Job Bank Chair Andrea Linton-Brunson announced that Bo Rogers might still be looking for a paralegal, but she was not positive about that. Sandi Clarke announced that David Griffith, in Gilmer, might also still be looking.

**NALA** – No report.

**Education** – Ginger Gage was not in attendance. President Tucker announced that there will be no speaker for the January meeting, as we will be installing new officers for the upcoming year.

**Old Business** – There was no old business.

**New Business** – President Tucker provided gifts to the 2011 board members, thanking them for their help and support for the past year. President Tucker also provided gifts for the 2011 committee chairs and thanked them for their work for the past year.

**Rainbow Room** – Several stuffed animals were provided by the members, to be donated to the Rainbow Room. President Tucker thanked the membership for their generous donations.

**2011 Elections** – President Tucker introduced elections chair Pam Matthews, who presented ballots for the 2012 officer elections. Pam called for additional nominations from the

floor for each office. President Tucker nominated Cindy VanBlaricom for the office of Secretary. Cindy VanBlaricom accepted the nomination and was added to the ballot for the secretarial office. Votes were cast and after tallying the votes, Pam Matthews announced that the following officers had been elected for 2012:

President - Andrea Linton-Brunson, CP  
First Vice-President and Education Chair - Sandi Clarke, CP  
Second Vice-President and Membership Chair - Nadriette Hardeman, CP  
Secretary - Cindy VanBlaricom  
Treasurer - Shannon Qualls  
NALA Liaison - Javan Johnson, ACP

With no further business, the meeting was adjourned at 12:35 p.m. Sandi Clarke then provided a couple of word games for the membership, with two members winning prizes.

Sandi Clarke, CP  
NTAP Secretary



Now We're  
Cookin'



### Bran Sour Dough Muffins

Pour 1 cup boiling water over:  
3 cups 100% Bran Cereal

Mix together:  
½ c. canola oil  
2 beaten eggs  
1¼ cups honey  
2 c. buttermilk

Pour liquid mixture over bran cereal mixture and stir well.

Combine:  
2½ c. whole-wheat flour  
2½ tsp. soda

Add dry ingredients to liquid mixture; stir well.

Cover and refrigerate. Will keep up to 2 months. Spray muffin tins with non-stick spray, fill 2/3 full and bake for 20 minutes, 400°.

Raisins, nuts, dates, etc. may be added. Double ingredients for larger batches.

Mary Beth Jones, CP  
Beaumont, Texas



### Food for Thought

The illusion of safety creates apathy and mediocrity in most organizations while the leaders struggle to find excellence amidst the decay of the ordinary.

John Grubbs  
gci4training.com



## COOKBOOKS - \$10.00

RAISING MONEY FOR PARALEGAL STUDENT SCHOLARSHIPS



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PARALEGALS, INC.



**Hill & Calk, P.C.  
Attorneys at Law**

1511 Judson Road,  
Suite B

Longview, Texas 75601

903-242-9000

903-242-9009 fax

Jerry W. Hill

James I. Calk\*

\*Board certified by the Texas Board of  
Legal Specialization in commercial real  
estate law and residential real estate law.



**SLOAN, BAGLEY,  
HATCHER & PERRY**

LAW FIRM

**Longview office: 101 East Whaley Street**

**Longview, Texas 75601**

**903-757-7000**

**903-757-7574 fax**

**Houston office: 3000 Smith St., Ste 4**

**Houston, TX 77006**

**713-520-8833**

**713-520-9933 fax**

**800.730.0099 toll-free**

[www.sloanfirm.com](http://www.sloanfirm.com)



**Siebman, Burg,  
Phillips & Smith, LLP**

**Marshall office:** 113 East Austin, Marshall, Texas 75670

**Tyler office:** 110 North College, Suite 204, Tyler, Texas 75702

**Sherman office:** 300 N. Travis, Sherman, Texas 75090-0019

**Plano office:** 4949 Hedgcoxe Road, Suite 230, Plano, Texas 75204-3934

(903) 938-8900 (office)

[michaelsmith@siebman.com](mailto:michaelsmith@siebman.com)

***BSEC&G***

**BOON SHAVER ECHOLS COLEMAN  
& GOOLSBY, PLLC**

**Attorneys at Law**

MARK L. BOON\*  
GARY H. SHAVER  
BRADLEY R. ECHOLS  
DARREN K. COLEMAN  
CASEY GOOLSBY

1800 NW LOOP 281, SUITE 303  
(GILMER ROAD AT LOOP 281)  
LONGVIEW, TEXAS 75604  
TELEPHONE: (903) 759-2200  
FAX: (903) 759-3306

[www.boonlaw.com](http://www.boonlaw.com)

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# CLE Calendar

For additional information about CLE across the State see the SBOT - PD web site at [www.txpd.org](http://www.txpd.org). Also, don't forget that the PD and NALA both offer on-line CLE.

**(Montgomery) Important Skills for Today's Paralegal, Feb. 3, 2012, 8:00 a.m. - 1:00 p.m.** Walden Yacht Club on Lake Conroe. Early registration (by Jan. 13): PD members \$40; Non-members \$55. After Jan. 13, add \$10. Civil Legislative Update and Rule Changes; Essentials of Legal Writing; The Role of the Paralegal at Trial; and Avoiding Ethical Issues in a Digital World. TBLS approval pending. Hosted by Texas Paralegal Division District 10. For details, or to register, contact Cheryl Bryan, [cbryan@obt.com](mailto:cbryan@obt.com), or Jane Barron, [jbarron@coffeybrowne.com](mailto:jbarron@coffeybrowne.com).

**(Online) Texas Bar CLE free online seminar.** TexasBarCLE offers a complimentary half hour of participatory MCLE credit. You will find a new topic available every other month. The current topic is "Identity Theft and Scams on the Elderly." [www.texasbarcle.com](http://www.texasbarcle.com). *Please note: NALA will not accept courses under 50 minutes in length.*

Check out the **Ten Minute Mentor** on [www.texasbar.com](http://www.texasbar.com). These instructional video presentations are from leading lawyers in their areas of expertise. Each presentation is typically short (around 10 minutes or less), practical, and free. Viewing presentations qualifies for MCLE self-study credit only. Topics available include Daubert challenges, petitions for review, bankruptcy issues, and many more.

**(Online) NALA Campus Live!** has many topics to choose from, and the Texas Board of Legal Specialization has approved certain programs for certification and re-certification. More information is available at [www.nala.org](http://www.nala.org).

**(Online) Free Webinars** sponsored by Litigation Solution, Inc. Contact Todd Kelly at KTS Litigation Support, [mtkelly@ktslitigationsupport.com](mailto:mtkelly@ktslitigationsupport.com), for a schedule and to register.

**(Online) Free Webinars and CLE on Demand** sponsored by Law.Com. For a full list of available courses, go to <http://www.law.com/jsp/law/webinars.jsp>.

Articles published herein do not necessarily represent the opinions of the Northeast Texas Association of Paralegals.  
Calendar listings and seminars should not be considered as endorsement of any such program or seminar.

## NTAP EMPLOYMENT REFERRALS

One of the benefits of your membership is NTAP's employment referral service. We receive calls from firms offering employment opportunities. If you are seeking a position or considering a change, we encourage you to use NTAP's employment referral service. If your firm is searching for qualified paralegals, ask your attorney or firm administrator to let us know about current openings.

If you are interested in being listed with the service, mail a current resume and contact information to:

Andrea Brunson, CP  
[AndreaB@NixLawFirm.com](mailto:AndreaB@NixLawFirm.com)  
NTAP, P.O. Box 2284, Longview, Texas 75601